

Appl. No. 10/810,759

Reply to Examiner's Action dated June 15, 2005

**REMARKS/ARGUMENTS**

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-18 in the application. Presently, the Applicants have amended Claims 1, 2, 10 and 11. No other claims have been amended, cancelled or added. Accordingly, Claims 1-18 are currently pending in the application.

**I. Rejection of Claims 1-3, 7 and 9 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-3, 7 and 9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,821,887 to Wieczorek, *et al.* ("Wieczorek"). Independent Claims 1 and 10 currently include the element of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step. Wieczorek fails to disclose this element.

Wieczorek is directed to a method for forming a metal silicided gate in a standard MOS process sequence. (Title). Wieczorek teaches that a single metal layer 112 is formed over a gate electrode 108 and source and drain regions 104 to form a silicided gate electrode 115a and the metal silicided regions 113 using a step. In direct contrast, the claims of the present invention require that two different steps be required to form the silicide blocking layer and the silicided gate electrode. Accordingly, Wieczorek fails to disclose this claimed element.

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Therefore, Wieczorek does not disclose each and every element of the claimed invention and as such, is not an anticipating reference. Because Claims 2-3, 7 and 9 are dependent upon Claim 1, Wieczorek also cannot be an anticipating reference for Claims 2-3, 7 and 9. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to these Claims.

## II. Rejection of Claims 4-6 and 8 under 35 U.S.C. §103

The Examiner has rejected Claims 4-6 and 8 under 35 U.S.C. §103(a) as being unpatentable over Wieczorek in view of U.S. Patent No. 6,555,453 to Xiang, *et al.* ("Xiang"). As indicated above, independent Claims 1 and 10 currently include the element of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step. As established above, Wieczorek fails to disclose this element. Wieczorek further fails to suggest this element. Specifically, Wieczorek fails to suggest this element because Wieczorek teaches, and apparently requires, that its silicided gate electrode 115a and its metal silicided regions 113 be formed using the same step. As the Examiner is well aware, such a teaching or suggestion is just the opposite of what is claimed.

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Xiang further fails to teach or suggest this element. The Examiner is offering Xiang for the sole proposition that the silicided gate electrode and metal silicided regions may comprise different materials. Without even addressing whether the Examiner's proposition is accurate, a teaching or suggestion that the silicided gate electrode and metal silicided regions may comprise different materials is entirely different from a teaching or suggestion of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step, as is currently claimed. Accordingly, Xiang also fails to teach or suggest this claimed element.

Therefore, Wieczorek alone or in combination with Xiang, fails to teach or suggest the invention recited in independent Claims 1 and 10 and their dependent claims, when considered as a whole. Accordingly, the combination fails to establish a prima facie case of obviousness with respect to these claims. Claims 4-6 and 8 are therefore not obvious in view of the combination.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 4-6 and 8 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

### **III. Rejection of Claims 10-12, 16 and 18 under 35 U.S.C. §103**

The Examiner has rejected Claims 10-12, 16 and 18 under 35 U.S.C. §103(a) as being unpatentable over Wieczorek in view of U.S. Patent No. 6,821,887 to Kim, *et al.* ("Kim"). As indicated above, independent Claims 1 and 10 currently include the element of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step. As established above, Wieczorek fails to teach or suggest this element.

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Kim further fails to teach or suggest this element. The Examiner is offering Kim for the sole proposition of forming interconnects within dielectrics located over the substrate. Without even addressing whether the Examiner's proposition is accurate, a teaching or suggestion of forming interconnects within dielectrics located over the substrate is entirely different from a teaching or suggestion of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step, as is currently claimed. Accordingly, Kim also fails to teach or suggest this claimed element.

Therefore, Wieczorek alone or in combination with Kim, fails to teach or suggest the invention recited in independent Claims 1 and 10 and their dependent claims, when considered as a whole. Accordingly, the combination fails to establish a prima facie case of obviousness with respect to these claims. Claims 10-12, 16 and 18 are therefore not obvious in view of the combination.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 10-12, 16 and 18 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

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**IV. Rejection of Claims 13-15 and 17 under 35 U.S.C. §103**

The Examiner has rejected Claims 13-15 and 17 under 35 U.S.C. §103(a) as being unpatentable over Wieczorek in view of Kim and further in view of Xiang. As indicated above, independent Claims 1 and 10 currently include the element of forming a silicided blocking layer over source/drain regions in a step and forming a silicided gate electrode in a different step. As established above, each of Wieczorek, Kim and Xiang individually fails to teach or suggest this element. Accordingly, the combination must also fail to teach or suggest this element.

Therefore, Wieczorek alone or in combination with Kim and/or Xiang, fails to teach or suggest the invention recited in independent Claims 1 and 10 and their dependent claims, when considered as a whole. Accordingly, the combination fails to establish a prima facie case of obviousness with respect to these claims. Claims 13-15 and 17 are therefore not obvious in view of the combination.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 13-15 and 17 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

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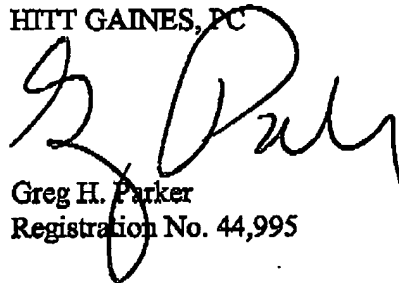
**V. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-18.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 20-0668.

Respectfully submitted,

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Dated: 9-15-05

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